(53)

HIGH COURT OF JUDICATURE CHHATTISGARH :: BILASPUR

SINGLE BENCH: HON'BLE SHRI S.R. NAYAK, CJ.

WRIT PETITION No.2715 of 2005

PETITIONERS

1. Ansuya Bai
Widow of Late Khoman Lal
Aged about 58 years.

2. Jai Prakash,
S/o Late Shri Khoman Lal, Aged
About 42 years.

3. Nawal Kishore
S/o Late Shri Khoman Lal, Aged
About 39 years.

4. Suresh,
S/o Late Shri Khoman Lal, aged
About 40 years.

All resident of
Ward No. 15, Ravi Shankar
Shukla Ward, Mahasamund, Tehsil
Mahasamund, District Raipur
(Mahasamund – new Dist.)
(C.G.)

5. Laxmi Chandrakar, S/o Not known aged about 40 years, R/o Behind Khomanlal Kurmi, Mandi road, Mahasamund, Tehsil Mahasamund, District Raipur (Mahasamund – new Dist.) (C.G.)

Vs.

RESPONDENTS

1. Laxman Das, Aged about 35 yrs.
S/o Santram Das, R/o Raj Ice
Factory, Ramsagar, Raipur,
Raipur (CG)

2. Shreechand, Aged about 45 years,
S/o Gumanmal Sachdev, R/o Sitli
Naka, Mahasamund, Tehsil
Mahasamund, District Raipur
(Mahasamund – new Dist.) (C.G.)

(54)

Present: Shri V.R. Tiwari, learned counsel for the petitioners.
Shri Manoj Paranjape, learned counsel for the respondents.

ORAL ORDER
(Passed on 22nd December 2005)

Having heard learned counsel for the parties, I do not find any jurisdictional flaw. In the facts and circumstances of the case, it can not be said that the learned trial Judge did not exercise the discretion vested in him under Order 7 Rule 14(3) of the C.P.C. judiciously. The writ petition is dismissed, however, with no costs.

Sd/-
Chief Justice